



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No. 11738.00063)

In re Application of:

Kelly et al.

Serial No.: 09/364,967

Filed: July 31, 1999

For: DEVICE AND METHOD FOR DETERMINING
AND COMMUNICATING THE REMAINING
LIFE OF A POWER SOURCE IN AN
IMPLANTABLE NEUROLOGICAL TISSUE
STIMULATING DEVICE

Group Art Unit: 2857

Examiner: Carol Tsai

#16/C
T. Yung
1-2-03

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AMENDMENT AND RESPONSE

Sir:

This Amendment and Response is responsive to the final Office Action dated June 19, 2002.

Please reconsider the application in view of the amendments and remarks that follow.

IN THE CLAIMS:

Please amend claims 1, 29, and 30 to read as follows:

1. **(Twice Amended)** A method of determining the current status and remaining life of a power source in an implantable neurological tissue stimulator comprising the steps of:
- assessing the power source voltage of the power source in an implantable neurological tissue stimulator;
- determining, based on the assessed power source voltage, where the power source is in its power source life cycle;
- obtaining a used capacity of the power source and a time that the power source has been operating, wherein the used capacity and the time are actual measurements; and